IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRD DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE Ch.S.R.K. PRASAD

Taken up WRIT PETITION NO : 13020 of 2004

Between:

S.K.Chandbee W/o S.K.Rasool Khan,
Pittlawada, Adilabad

..... PETITIONER

AND

1 The Station House Officer, Adilabad 1 Town Police Station , Adilabad Adilabad District
2 The Superintendent of Police, Adilabad District at Adilabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the telegram, dated 22-7-2004 the High Court will be pleased to issue an order, direction, or a writ, more particualry one in the nature of Writ of Habseas Corpus directing the respondents herein to produce (1) Rasool Khan, Aged 60 years, (2) Ameenabee, Aged 50 years, (3) Mubarak, Aged 18 years, the husband co-wife and son respectively of the petitioner herein and (4) Smt. Naseema Khanam, Aged 30 years and (5) Smt Sabia Begum , Aged 30 years, before this Honourable Court, who were illegally taken away from their respective residences on 21/07/2004 at 11 PM. and 8 P.M. and detained in the Adilabad 1 Town Police Station , and set them at Liberty forthwith

Counsel for the Petitioner:TELEGRAM

Counsel for the Respondents.: THE ADVOCATE GENERAL

The Court made the following :

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ORDER:

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1. A telegram addressed by one Shaik Chand Bee to this Court was taken up and registered as W.P.No. 13020 of 2004. The petitioner seeks Writ of Habeas Corpus directing the respondents to produce 1)Rasool Khan, 2)Ameena Bee, 3)Mubarak, 4) Smt. Naseema Khanam, and 5) Smt. Sabia Begum who were alleged to have been illegally taken into custody by Adilabad I Town Police Station on 21-7-2004 at 11-00 p.m.

2. In response to the notice issued to the respondents, a counter affidavit is filed by G.Muralidhar Rao who is working as Assistant Sub-Inspector of Police. It has been stated by him that the alleged detenus were neither wanted as accused nor witnesses in any case, relating to the cases pending in the said police Station and the averments made is totally baseless. It is also stated that he also caused enquiries with the neighbouring Police Station and his enquiry reveals that the alleged detenus were also not taken into the custody by the said Police Station.

3. Under these circumstances, we do not find any merits in the Writ Petition and accordingly, the Writ Petition is dismissed. No costs.

G.Bikshapathy, J.

Ch.S.R.K.Prasad,J.

3rd August, 2004.

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Station House Officer, Adilabad 1 Town Police Station , Adilabad Adilabad District
2 The Superintendent of Police, Adilabad District at Adilabad.

3 2CCs to Advocate General High Court Buildings, Hyderabad (OUT)

2. 2CD copies

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and

THE HON'BLE MR JUSTICE Ch.S.R.K. PRASAD

WRIT PETITION NO : 13020 of 2004

3rd August, 2004.